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3 *E-FILED*
4 September 26, 2005
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NORTHWESTERN MUTUAL LIFE INSURANCE, No. C 05-00831 RS

Plaintiff, v. **ORDER RE: SETTLEMENT;
STAND-BY ORDER TO SHOW
CAUSE**

J.C. PENNEY COMPANY, INC., et al.,

Defendants.

TO ALL PARTIES AND COUNSEL OF RECORD:

The Court has been informed that the above-entitled action has settled. Accordingly, the Court vacates all pretrial and trial dates. The parties are required to file a stipulation of dismissal by **December 7, 2005**. If a stipulation of dismissal is not filed by that date, the parties are ordered to appear on **December 14, 2005 at 9:30 a.m.** and show cause why the case should not be dismissed.

Failure to comply with this Order may result in dismissal of the case.

IT IS SO ORDERED.

Dated: September 26, 2005

/s/ Richard Seeborg
RICHARD SEEBORG
United States Magistrate Judge

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER WAS ELECTRONICALLY
2 PROVIDED TO:**

3 **Counsel for Plaintiff(s)**

4 An H. Nguyen, Esq.
5 Email: ahn@llcllp.com

6 **Counsel for Defendant(s)**

7 Lisa A. Villasenor, Esq.
8 Email: lav@mmker.com

9 Counsel are responsible for distributing copies of this document to co-counsel who have not registered for
10 e-filing under the court's CM/ECF program.

11 Dated: September 26, 2005

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13 /s/ BAK
14 Chambers of Magistrate Judge Richard Seeborg